

By Williams, Sharp

5 J.R. No. 1

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize the legislature  
2 to exempt from taxation the property of certain veterans'  
3 organizations.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. That Article VIII, Section 2, of the Texas  
6 Constitution be amended by adding Subsection (c) to read as  
7 follows:

8 (c) The Legislature by general law may exempt from ad  
9 valorem taxation property of veterans' organizations that are  
10 chartered by the United States Congress, composed of members or  
11 former members of the armed forces of the United States, and  
12 organized for patriotic and public service purposes, including the  
13 American Legion, Veterans of Foreign Wars, and Disabled American  
14 Veterans.

15 SECTION 2. This proposed constitutional amendment shall be  
16 submitted to the voters at an election to be held on November 8,  
17 1983. The ballot shall be printed to provide for voting for or  
18 against the proposition: "The constitutional amendment to  
19 authorize the legislature to exempt from taxation the property of  
20 certain veterans' organizations."

1 By: Williams

S.J.R. No. 1

2 (In the Senate - Filed November 12, 1982; January 11, 1983,  
3 read first time and referred to Committee on State Affairs;  
4 March 17, 1983, reported adversely, with favorable Committee  
5 Substitute; March 17, 1983, sent to printer.)

6 COMMITTEE SUBSTITUTE FOR S.J.R. No. 1

By: Brooks

7 SENATE JOINT RESOLUTION

8 proposing a constitutional amendment to authorize the legislature  
9 to exempt from taxation the property of certain veterans'  
10 organizations and authorizing taxing units to exempt from taxation  
11 certain property of fraternal organizations.

12 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

13 SECTION 1. That Article VIII, Section 2, of the Texas  
14 Constitution be amended by adding Subsections (c) and (d) to read  
15 as follows:

16 "(c) The legislature by general law may exempt from ad  
17 valorem taxation property of veterans' organizations that are  
18 chartered by the United States Congress, composed of members or  
19 former members of the armed forces of the United States, and  
20 organized for patriotic and public service purposes, including the  
21 American Legion, Veterans of Foreign Wars, and Disabled American  
22 Veterans.

23 "(d) The governing body of a political subdivision may  
24 exempt from ad valorem taxation the property of fraternal  
25 organizations that are organized to perform and are primarily  
26 engaged in performing charitable and benevolent functions. The  
27 legislature by general law may limit the types or amount of  
28 property that may be exempted under this subsection and may provide  
29 eligibility requirements for an organization to receive an  
30 exemption under this subsection."

31 SECTION 2. This proposed constitutional amendment shall be  
32 submitted to the voters at an election to be held on November 8,  
33 1983. The ballot shall be printed to provide for voting for or  
34 against the proposition: "The constitutional amendment to  
35 authorize the legislature to exempt from taxation the property of  
36 certain veterans' organizations and to authorize taxing units to  
37 exempt from taxation certain property of fraternal organizations."

38 \* \* \* \* \*

39 Austin, Texas  
40 March 17, 1983

41 Hon. William P. Hobby  
42 President of the Senate

43 Sir:

44 We, your Committee on State Affairs to which was referred S.J.R.  
45 No. 1, have had the same under consideration, and I am instructed  
46 to report it back to the Senate with the recommendation that it do  
47 not pass, but that the Committee Substitute adopted in lieu thereof  
48 do pass and be printed.

49 Farabee, Chairman

S.J.R. 1 by Williams

Proposing a constitutional amendment to authorize the legislature to exempt from taxation the property of certain veterans' organizations.

Background Information:

Attorney General Opinion Number MW-436 stated that Section 11.23(a) of the Property Tax Code, which exempted from ad valorem taxation real property owned by certain veterans' organizations, was in violation of Article VIII, Section 2 of the Texas Constitution and therefore attempts to exempt veterans organizations' property from taxation via statute are unconstitutional.

Problem(s) that the Bill Addresses:

This joint resolution amends Article VIII, Section 2 of the Texas Constitution by specifically exempting in the Constitution certain veterans organizations' property from ad valorem taxation. The result will be to relieve the tax burden on organizations whose members have served our country and state in time of war.

How This Bill Will Solve the Problem(s):

This bill will satisfy the Article VIII, Section 2(a) requirement that all laws exempting property from taxation must be mentioned in this section (of the constitution) else the law is null and void.

This bill amends existing law.

Section by Section Analysis:

SECTION 1: Amends Article VIII, Section 2 of the Texas Constitution by adding subsection (c) which gives the legislature the authority to exempt from ad valorem taxation property of veterans' organizations that are chartered by the U.S. Congress and are composed of members or former members of the Armed Forces of the United States and are organized for patriotic and public service purposes.

SECTION 2: States that this amendment shall be submitted to the voters on November 8, 1983, and specifies the exact wording of the amendment on the ballot.

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 9, 1983

Honorable Ray Farabee, Chairman  
Committee on State Affairs  
Senate Chamber  
Austin, Texas

In Re: Senate Joint Resolution No. 1  
By: Williams

Sir:

In response to your request for a Fiscal Note on Senate Joint Resolution No. 1 (proposing a constitutional amendment to authorize the Legislature to exempt from taxation the property of certain veterans' organizations)

The resolution would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the resolution.

The cost to publish the proposed amendment in both English and Spanish would approximate \$47,750 during fiscal year 1984. No significant additional cost to the state government is anticipated.

The revenue loss to local taxing units would depend upon future actions of the Legislature in adopting implementing legislation. The dollar amount of such local revenue loss cannot be determined for purposes of this fiscal note for lack of basic information and knowledge as to the future actions of the Legislature.

  
Jim Oliver  
Director

Source: State Property Tax Board; Secretary of State;  
LBB Staff: JO, HS, LV

By: Williams, Sharp

S.J.R. No. 1

SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize the legislature to exempt from taxation the property of certain veterans' organizations and authorizing taxing units to exempt from taxation certain property of fraternal organizations.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. That Article VIII, Section 2, of the Texas Constitution be amended by adding Subsections (c) and (d) to read as follows:

"(c) The legislature by general law may exempt from ad valorem taxation property of veterans' organizations that are chartered by the United States Congress, composed of members or former members of the armed forces of the United States, and organized for patriotic and public service purposes, including the American Legion, Veterans of Foreign Wars, and Disabled American Veterans.

"(d) The governing body of a political subdivision may exempt from ad valorem taxation the property of fraternal organizations that are organized to perform and are primarily engaged in performing charitable and benevolent functions. The legislature by general law may limit the types or amount of property that may be exempted under this subsection and may provide eligibility requirements for an organization to receive an exemption under this subsection."

SECTION 2. This proposed constitutional amendment shall be

March 23 1983

Engrossed

1983 APR 18 AM 10:12

Datsy Spaw  
Engrossing Clerk

HOUSE OF REPRESENTATIVES

spil

MAR 24 1983

Wright & Means

By: Williams, Sharp

S.J.R. No. 1

SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize the legislature to exempt from taxation the property of certain veterans' organizations and authorizing taxing units to exempt from taxation certain property of fraternal organizations.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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"(d) The governing body of a political subdivision may exempt from ad valorem taxation the property of fraternal organizations that are organized to perform and are primarily engaged in performing charitable and benevolent functions. The legislature by general law may limit the types or amount of property that may be exempted under this subsection and may provide eligibility requirements for an organization to receive an exemption under this subsection."

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S.J.R. No. 1

1 submitted to the voters at an election to be held on November 8,  
2 1983. The ballot shall be printed to provide for voting for or  
3 against the proposition: "The constitutional amendment to  
4 authorize the legislature to exempt from taxation the property of  
5 certain veterans' organizations and to authorize taxing units to  
6 exempt from taxation certain property of fraternal organizations."

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 9, 1983

Honorable Ray Farabee, Chairman  
Committee on State Affairs  
Senate Chamber  
Austin, Texas

In Re: Senate Joint Resolution No. 1  
By: Williams

Sir:

In response to your request for a Fiscal Note on Senate Joint Resolution No. 1 (proposing a constitutional amendment to authorize the Legislature to exempt from taxation the property of certain veterans' organizations)

The resolution would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the resolution.

The cost to publish the proposed amendment in both English and Spanish would approximate \$47,750 during fiscal year 1984. No significant additional cost to the state government is anticipated.

The revenue loss to local taxing units would depend upon future actions of the Legislature in adopting implementing legislation. The dollar amount of such local revenue loss cannot be determined for purposes of this fiscal note for lack of basic information and knowledge as to the future actions of the Legislature.

  
Jim Oliver  
Director

Source: State Property Tax Board; Secretary of State;  
LBB Staff: JO, HS, LV



1983 MAY 22 PM 2:16  
H. OF REPRESENTATIVES

# HOUSE COMMITTEE REPORT

1st. Printing

By Williams, et al.  
(Kemp)

S.J.R. No. 1

Substitute the following for S.J.R. No. 1:

By Shea

C.S.S.J.R. No. 1

## SENATE JOINT RESOLUTION

1 proposing a constitutional amendment to authorize taxing units to  
2 exempt from taxation the property of certain veterans'  
3 organizations and certain property of fraternal organizations.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. That Article VIII, Section 2, of the Texas  
6 Constitution be amended by adding Subsections (c) and (d) to read  
7 as follows:

8 "(c) The governing body of a political subdivision may  
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10 that are chartered by the United States Congress, composed of  
11 members or former members of the armed forces of the United States,  
12 and organized for patriotic and public service purposes, including  
13 the American Legion, Veterans of Foreign Wars, and Disabled  
14 American Veterans.

15 "(d) The governing body of a political subdivision may  
16 exempt from ad valorem taxation the property of fraternal  
17 organizations that are organized to perform and are primarily  
18 engaged in performing charitable and benevolent functions. The  
19 legislature by general law may limit the types or amount of  
20 property that may be exempted under this subsection and may provide  
21 eligibility requirements for an organization to receive an  
22 exemption under this subsection."

23 SECTION 2. This proposed constitutional amendment shall be  
24 submitted to the voters at an election to be held on November 8,

C.S.S.J.R. No. 1

1 1983. The ballot shall be printed to provide for voting for or  
2 against the proposition: "The constitutional amendment to  
3 authorize the legislature to exempt from taxation the property of  
4 certain veterans' organizations and to authorize taxing units to  
5 exempt from taxation certain property of fraternal organizations."

# COMMITTEE REPORT

May 19, 1983  
(date)

The Honorable Gib Lewis  
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON WAYS & MEANS, to whom was referred S.J.R. 1 have had the same under consideration and beg to report back with the recommendation that it (measure)

- ( ) do pass, without amendment.  
( ) do pass, with amendment(s).  
(☒) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (☒) yes ( ) no

An author's fiscal statement was requested. ( ) yes (☒) no

An actuarial analysis was requested. ( ) yes (☒) no

The Committee recommends that this measure be placed on the ~~(Local)~~ or (Consent) Calendar.

This measure (☒) proposes ~~new law~~ an amendment to the constitution  
( ) amends existing law.

House Sponsor of Senate Measure Rep. Kemp

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Schlueter, Ch.	<input checked="" type="checkbox"/>			
English, V.C.	<input checked="" type="checkbox"/>			
Turner, C.B.O.	<input checked="" type="checkbox"/>			
Berlanga	<input checked="" type="checkbox"/>			
Ceverha	<input checked="" type="checkbox"/>			
Crockett	<input checked="" type="checkbox"/>			
Hanna				<input checked="" type="checkbox"/>
Hill, G.	<input checked="" type="checkbox"/>			
Jackson				<input checked="" type="checkbox"/>
Khoury	<input checked="" type="checkbox"/>			
Kuempel	<input checked="" type="checkbox"/>			
Peveto	<input checked="" type="checkbox"/>			
Shea	<input checked="" type="checkbox"/>			
Stiles	<input checked="" type="checkbox"/>			
Thompson, G.				<input checked="" type="checkbox"/>

Total 12 aye  
0 nay  
0 present, not voting  
3 absent

Schlueter  
CHAIRMAN

R. M. M. M.  
COMMITTEE COORDINATOR

BACKGROUND:

Presently, there is no specific Constitutional authorization for governing bodies of political subdivisions to exempt from ad valorem taxation the property of chartered veterans' organizations or fraternal organizations that are organized to perform and are primarily engaged in performing charitable and benevolent functions.

The authors of this resolution submit that such specific language is necessary in order to exempt such property of the above organizations which perform patriotic, public service, charitable and benevolent functions.

PURPOSE AND SYNOPSIS:

The resolution proposes to amend Article VIII, Section 2 of the Constitution by adding Subsections (a) and (d), which provide that governing bodies of a political subdivision may exempt from advalorem taxation property of chartered veterans' organizations organized for patriotic and public service purposes and the property of fraternal organizations that are organized to perform and are primarily engaged in performing charitable and benevolent functions.

RULEMAKING AUTHORITY:

It is the committee's opinion that this resolution does not delegate rulemaking authority to a state officer, agency, department or institution.

COMPARISON OF ORIGINAL BILL AND THE SUBSTITUTE:

The original bill provided that the legislature by general law may exempt the property of veterans' organizations from ad valorem taxation. The substitute provides that the governing body of the political subdivision may exempt such property.

SUMMARY OF COMMITTEE ACTION:

The resolution was presented in public hearing before the Property Tax Subcommittee of Ways and Means on April 28, 1983, and was reported favorably on that date. The resolution was further considered by the full committee at a formal meeting held on May 19, 1983. On that date the committee reported the resolution as a substitute by a vote of 12 ayes, 0 nays, 0 present, not voting and 3 absent.

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

May 20, 1983

Honorable Stan Schlueter, Chair  
Committee on Ways and Means  
House of Representatives  
Austin, Texas

In Re: House Committee Substitute for  
Senate Joint Resolution No. 1

Sir:

In response to your request for a Fiscal Note on House Committee Substitute for Senate Joint Resolution No. 1 (proposing a constitutional amendment to authorize taxing units to exempt from taxation the property of certain veterans' organizations and certain property of fraternal organizations) this office has determined the following:

The resolution would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the resolution.

The cost of publication of this resolution is \$47,750. No significant additional cost to the state government is anticipated.

The revenue loss to local taxing units would depend upon future actions of local officials and of the Legislature in adopting implementing legislation. The dollar amount of such local revenue loss cannot be determined for purposes of this fiscal note for lack of basic information and knowledge as to the future actions of the Legislature.

  
Jim Oliver  
Director

Source: State Property Tax Board; Secretary of State;  
LBB Staff: JO, HS, DM

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

April 5, 1983

Honorable Stan Schlueter, Chair  
Committee on Ways and Means  
House of Representatives  
Austin, Texas

In Re: Senate Joint Resolution No. 1,  
as engrossed  
By: Williams


Sir:

In response to your request for a Fiscal Note on Senate Joint Resolution No. 1, as engrossed (proposing a constitutional amendment to authorize the Legislature to exempt from taxation the property of certain veterans' organizations) this office has determined the following:

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Jim Oliver  
Director

Source: State Property Tax Board; Secretary of State;  
LBB Staff: JO, HS, LV

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 9, 1983

Honorable Ray Farabee, Chairman  
Committee on State Affairs  
Senate Chamber  
Austin, Texas

In Re: Senate Joint Resolution No. 1  
By: Williams

Sir:

In response to your request for a Fiscal Note on Senate Joint Resolution No. 1 (proposing a constitutional amendment to authorize the Legislature to exempt from taxation the property of certain veterans' organizations)

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Jim Oliver  
Director

Source: State Property Tax Board; Secretary of State;  
LBB Staff: JO, HS, LV

ADOPTED

as amended

TMe  
Cec

MAY 25 1983

Betty Murray  
Chief Clerk  
House of Representatives

By: Williams, Sharp

S.J.R. No. 1

Substitute the following for S.J.R. No. 1:

C.S.S.J.R. No. 1

By

Shea

SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize taxing units to exempt from taxation the property of certain veterans' organizations and certain property of fraternal organizations.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 8, 1983. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to authorize the legislature to exempt from taxation the property of certain veterans' organizations and to authorize taxing units to exempt from taxation certain property of fraternal organizations."

House Substitute  
5/27/83



pmc  
5/29/83  
cFee  
5-29-83

**ADOPTED**

MAY 25 1983

*Betty Murray*  
Chief Clerk  
House of Representatives

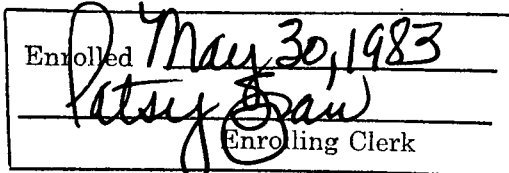
AMENDMENT NO. 1

BY *Kemp*

1 Amend C.S.S.J.R. 1 on page 2 by striking lines 2-5 and  
2 substituting the following:

3 against the proposition: "The constitutional amendment to  
4 authorize taxing units to exempt from taxation property of certain  
5 veterans' and fraternal organizations."

*House Am. # 1*  
*5/27/83*



S.J.R. No. 1

SENATE JOINT RESOLUTION

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227  
50  
S.J.R. No. 1

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4 veterans' and fraternal organizations."

TM 22

S.J.R. No. 1

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.J.R. No. 1 was passed by the Senate on March 23, 1983, by the following vote: Yeas 27, Nays 4; and that the Senate concurred in House amendments on May 27, 1983, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.J.R. No. 1 was passed by the House, with amendments, on May 25, 1983, by the following vote: Yeas 137, Nays 4, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

May 20, 1983

Honorable Stan Schlueter, Chair  
Committee on Ways and Means  
House of Representatives  
Austin, Texas

In Re: House Committee Substitute for  
Senate Joint Resolution No. 1

Sir:

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Jim Oliver  
Director

Source: State Property Tax Board; Secretary of State;  
LBB Staff: JO, HS, DM

# LEGISLATIVE BUDGET BOARD

Austin, Texas

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Senate Chamber  
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Source: State Property Tax Board; Secretary of State;  
LBB Staff: JO, HS, LV

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

April 5, 1983

Honorable Stan Schlueter, Chair  
Committee on Ways and Means  
House of Representatives  
Austin, Texas

In Re: Senate Joint Resolution No. 1,  
as engrossed  
By: Williams

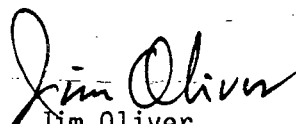
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Jim Oliver  
Director

Source: State Property Tax Board; Secretary of State;  
LBB Staff: JO, HS, LV

S. J. R. No. 1

By Lo. Williams, Smp

SENATE JOINT RESOLUTION

- proposing a constitutional amendment to authorize the legislature to exempt from taxation the property of certain veterans' organizations.

NOV 12 1982

Filed with the Secretary of the Senate

JAN 11 1983 Read, referred to Committee on STATE AFFAIRS

Reported favorably.

MAR 17 1983 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed.

MAR 23 1983 Senate and Constitutional Rules to permit consideration suspended by

27 yeas, 4 nays.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

MAY 25 1983 Read second time and ordered engrossed.

Caption ordered amended to conform to body of bill.

MAR 23 1983 Senate and Constitutional 3-Day Rules suspended by vote of 26 yeas, 5 nays to place bill on third reading and final passage.

MAR 23 1983 Read third time and passed by 27 yeas, 4 nays.

OTHER ACTION:

Betty King  
Secretary of the Senate

March 23, 1983 Engrossed  
3-24-83 Sent to HOUSE

Patsy Spaw  
ENGROSSING CLERK

MAR 24 1983

Received from the Senate

MAR 28 1983

Read first time and referred to Committee on Ways & Means

5:19

Reported favorably substitute, sent to Printer 8:40 am 5-23

MAY 23 1983

Printed and Distributed 2:16 pm

MAY 23 1983

Sent to Committee on Calendars 3:17 pm

MAY 25 1983

Read second time (as substituted) and finally adopted  
~~failed adoption~~ by Record Vote of

MAY 25 1983 135 yeas 5 nays 1 present not voting  
motion - Vote reconsidered on vote by which  
SJR 1 was finally adopted prevailed  
MAY 25 1983 Read second time and finally adopted as  
substitute and amended by record vote 137 yeas 4 nays 1 prv

Read third time (amended) and finally adopted  
failed adoption by a Record Vote of  
\_\_\_\_\_ yeas \_\_\_\_\_ nays \_\_\_\_\_ present not voting

MAY 25 1983

Caption ordered amended to conform to body of resolution

MAY 26 1983

Returned to Senate.

MAY 26 1983 Returned  
with amendments

Senate concurred in House amend-  
ments by the following vote: 31  
yeas 0 nays.

Chief Clerk of the House